

PLUMMER

Serial No.: 09/944,119

Response to Office Action dated February 11, 2004

Remarks

Reconsideration and allowance of the subject patent application are respectfully requested.

Applicant gratefully acknowledges the indication that claims 1-30, 44-46 and 49-52 are allowed.

Claims 31-43, 47, 48, 53 and 54 were rejected under 35 U.S.C. Section 103(a) as allegedly being “obvious” over Hollabaugh *et al.* (U.S. Patent No. 4,131,882) in view of Evelyn-Veere *et al.* (U.S. Patent No. 4,176,395). While not acquiescing in this rejection, claims 31, 36, 37, 47, 48, 53 and 54 have been amended. As such, the discussion below is with reference to the amended claims. Hollabaugh *et al.* discloses a two-wire irrigation control system. The office action states that Hollabaugh *et al.* does not teach activating the stations at a prescribed phase offset from a reference datum, but alleges that this feature is “old and known in the art” as evidenced by Evelyn-Veere *et al.* First, Applicant traverses the assertion that activating stations at a prescribed offset from a reference datum in the claimed context is “old and known.” Second, Evelyn-Veere *et al.* does not remedy the deficiencies of Hollabaugh *et al.* Evelyn-Veere discloses a clocking pulse ϕ_{DS} shifted in phase from a clocking signal ϕ_D to facilitate the clocking of a feedback data flip-flop 674. Evelyn-Veere does not disclose or suggest to one of ordinary skill in the art activating stations at prescribed phase offsets from a reference datum so that one activated station draws power at a different time than at least one other activated station, as set forth in independent claims 31, 37 and 53. Indeed, such operation is counter intuitive to standard practice in which stations normally at any time draw just the power required to activate their associated electronics and activating devices. Consequently, the proposed combination of Hollabaugh *et al.* and Evelyn-Veere *et al.* does not render the subject matter of claims 31, 37 and 53 obvious.

Claims 32-36 and 47 depend from claim 31; claims 38-43 and 48 depend from claim 37; and claim 54 depends from claim 53. The claims are believed to be allowable because of their respective dependencies and because of additional patentable features recited therein.

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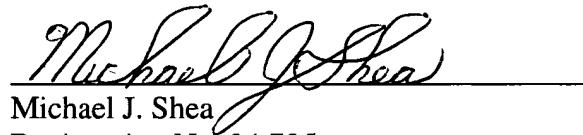
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New claims 55-60 have added. The subject matter of these new claims is fully supported by the original disclosure and no new matter is added. Claims 55 and 56 depend from claim 31; claims 57 and 58 depend from claim 37; and claims 59 and 60 depend from claim 53. These claims are believed to be allowable because of their respective dependencies and because of additional patentable features recited therein.

Applicant submits that the pending claims are in condition for allowance, and early notice to that effect is respectfully requested.

Respectfully submitted,

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